IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

ITED STATES OF AMERICA,) 8:16MJ343)
Plaintiff,	
vs.	DETENTION ORDER
LIAN MIX-PEREZ,	
Defendant.	
After conducting a detention hearing purs	suant to 18 U.S.C. § 3142(f) of the Bail Reform ders the above-named defendant detained
The Court orders the defendant's detent X By a preponderance of the even conditions will reasonably assure X By clear and convincing evidence	
The Court's findings are based on the contained in the Pretrial Services Repor X (1) Nature and circumstances of X (a) The crime: a conspirate violation of 21 U.S.C. years imprisonment at (b) The offense is a crime (c) The offense involves a	the offense charged: by to distribute methamphetamine (Count I) in \$ 846 carries a minimum sentence of ten and a maximum of life imprisonment. by of violence.
may affect wh The defendar X The defendar X The defendar X The defendar X The defendar ties. Past conduct The defendar The defendar The defendar The defendar The defendar The defendar Court proceed	nt appears to have a mental condition which nether the defendant will appear. In that no family ties in the area. In that no steady employment. In that no substantial financial resources. In that no substantial financial record.
	Defendant. Order For Detention After conducting a detention hearing purs Act on October 21, 2016, the Court or pursuant to 18 U.S.C. § 3142(e) and (i). Statement Of Reasons For The Detent The Court orders the defendant's detent X By a preponderance of the exconditions will reasonably assure X By clear and convincing evidence will reasonably assure the safety Finding Of Fact The Court's findings are based on the contained in the Pretrial Services Repor X (1) Nature and circumstances of X (a) The crime: a conspiract violation of 21 U.S.C. years imprisonment at (c) The offense is a crime (c) The offense involves at (d) The offense involves at (d) The offense involves at (e) The defendar X The Defendar

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 Release pending trial, sentence, appeal or completion of sentence. (c) Other Factors: X The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to
deportation if convicted. X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the charges in the Indictment.
X (5) Rebuttable Presumptions In determining that the defendant should be detained, the Court also relied on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
which the Court finds the defendant has not rebutted: X (a) That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves: (1) A crime of violence; or X (2) An offense for which the maximum penalty is life imprisonment or death; or X (3) A controlled substance violation which has a maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.
 X (b) That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. Y That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

- Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
 - The defendant be afforded reasonable opportunity for private consultation with counsel; and

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3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 21, 2016.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge